

**SUPREME COURT MINUTES  
TUESDAY, DECEMBER 31, 2013  
SAN FRANCISCO, CALIFORNIA**

**S215361**      A140237 First Appellate District, Div. 1      **LEWIS (EMMITT)v. S.C.  
(PEOPLE)**

Petition for review & application for stay denied

**S215545**      B252053 Second Appellate District, Div. 7      **SALAS (EDITH)v. FARRAJ  
(AYMAN I.)**

Petition for review & application for stay denied

**S029551**      **PEOPLE v. JOHNSON (JOE  
EDWARD)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Kent Barkhurst's representation that the appellant's reply brief is anticipated to be filed by April 28, 2014, counsel's request for an extension of time in which to file that brief is granted to February 25, 2014. After that date, only one further extension totaling 61 additional days will be granted.

**S056766**      **PEOPLE v. LEON (RICHARD)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Alison Pease's representation that the appellant's supplemental reply brief is anticipated to be filed by January 16, 2014, counsel's request for an extension of time in which to file that brief is granted to January 16, 2014. After that date, no further extension is contemplated.

**S087560****PEOPLE v. NADEY, JR.,  
(GILES ALBERT)**

Extension of time granted

Good cause appearing, and based upon counsel Christopher Johns's representation that the appellant's reply brief is anticipated to be filed by November 14, 2014, counsel's request for an extension of time in which to file that brief is granted to February 24, 2014. After that date, only five further extensions totaling about 260 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S095076****PEOPLE v. PENUNURI  
(RICHARD)**

Extension of time granted

Good cause appearing, and based upon counsel Stephen M. Lathrop's representation that the appellant's reply brief is anticipated to be filed by June 23, 2014, counsel's request for an extension of time in which to file that brief is granted to February 18, 2014. After that date, only two further extensions totaling about 125 additional days will be granted.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S095868****PEOPLE v. DANIELS (DAVID  
SCOTT)**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the appellant's reply brief is granted to February 25, 2014. The court anticipates that after that date, only one further extension totaling 30 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S098318****PEOPLE v. HENDERSON  
(PAUL NATHAN)**

Extension of time granted

Good cause appearing, and based upon counsel Martin H. Dodd's representation that the appellant's reply brief is anticipated to be filed by May 2, 2014, counsel's request for an extension of time in which to file that brief is granted to March 4, 2014. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S105403****PEOPLE v. CHHOUN (RUN  
PETER) & PAN (SAMRETH  
SAM)**

Extension of time denied

Appellant Run Peter Chhoun's "Motion for Extension of Time in Which to File Appellant's Opening Brief," filed on December 13, 2013, is denied.

**S118384****PEOPLE v. MELENDEZ  
(ANGELO MICHAEL)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General A. Kay Lauterbach's representation that the respondent's brief is anticipated to be filed by April 30, 2014, counsel's request for an extension of time in which to file that brief is granted to February 28, 2014. After that date, only one further extension totaling about 60 additional days is contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S120382****PEOPLE v. SANCHEZ  
(VINCENT HENRY)**

Extension of time granted

Good cause appearing, and based upon counsel Michael R. Snedeker's representation that the appellant's opening brief is anticipated to be filed by October 1, 2014, counsel's request for an extension of time in which to file that brief is granted to March 4, 2014. After that date, only four further extensions totaling about 211 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S132256****PEOPLE v. HELZER (GLEN  
TAYLOR)**

Extension of time granted

Good cause appearing, and based upon counsel Jeanne Keegan-Lynch's representation that the appellant's opening brief is anticipated to be filed by April 15, 2014, counsel's request for an extension of time in which to file that brief is granted to February 21, 2014. After that date, only one further extension totaling about 50 additional days will be granted. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S140894****PEOPLE v. MIRACLE  
(JOSHUA MARTIN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Andrea G. Asaro's representation that the appellant's opening brief is anticipated to be filed by September 12, 2014, counsel's request for an extension of time in which to file that brief is granted to February 25, 2014. After that date, only four further extensions totaling about 200 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S146528****PEOPLE v. SNYDER  
(JANEEN MARIE) &  
THORNTON (MICHAEL  
FORREST)**

Extension of time granted

On application of appellant Janeen Marie Snyder and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 28, 2014.

**S155617****PEOPLE v. SILVA  
(MAURICIO)**

Extension of time granted

Good cause appearing, and based upon counsel Victor S. Haltom's representation that the appellant's opening brief is anticipated to be filed by September 15, 2014, counsel's request for an extension of time in which to file that brief is granted to February 18, 2014. After that date, only four further extensions totaling about 210 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S159120****PEOPLE v. DEMOLLE  
(ALEX)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 24, 2014.

**S166315****WILSON (ANDRE GERALD)  
ON H.C.**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file informal response to the petition for writ of habeas corpus is extended to January 9, 2014.

**S168204****PEOPLE v. MOSLEY (BARRY  
WENDELL)**

Extension of time granted

Good cause appearing, and based upon counsel Ronald Turner's representation that the appellant's opening brief is anticipated to be filed by April 1, 2014, counsel's request for an extension of time in which to file that brief is granted to February 21, 2014. After that date, only one further extension totaling about 38 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S169750****PEOPLE v. McGHEE  
(TIMOTHY JOSEPH)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to February 21, 2014.

**S170280****PEOPLE v. BAKER (PAUL  
WESLEY)**

Extension of time granted

Good cause appearing, and based upon counsel John F. Schuck's representation that the appellant's opening brief is anticipated to be filed by June 2, 2014, counsel's request for an extension of time in which to file that brief is granted to March 7, 2014. After that date, only two further extensions totaling about 85 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S189373****PEOPLE v. WILSON  
(LESTER HARLAND)**

Extension of time granted

Good cause appearing, and based upon counsel Patrick Morgan Ford's representation that the appellant's opening brief is anticipated to be filed by January 15, 2014, counsel's request for an extension of time in which to file that brief is granted to January 15, 2014. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

**S200464****SELF (CHRISTOPHER) ON  
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Geraldine S. Russell's representation that the reply to the informal response to the petition for writ of habeas corpus is anticipated to be filed by October 15, 2014, counsel's request for an extension of time in which to file that document is granted to February 28, 2014. After that date, only four further extensions totaling about 230 additional days will be granted.

**S203329****JOHNSON (MICHAEL  
RAYMOND) ON H.C.**

Extension of time granted

Good cause appearing, counsel's request for an extension of time in which to file the reply to the informal response to the petition for habeas corpus is granted to February 14, 2014. The court anticipates that after that date, only four further extensions totaling about 208 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

**S208180****MAI (HUNG THANH) ON  
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Adrienne S. Denault's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by June 25, 2014, counsel's request for an extension of time in which to file that document is granted to February 24, 2014. After that date, only two further extensions totaling about 120 additional days are contemplated.

**S212072** H038563 Sixth Appellate District

**CALIFORNIA BUILDING  
INDUSTRY ASSOCIATION v.  
CITY OF SAN JOSE  
(AFFORDABLE HOUSING  
NETWORK OF SANTA  
CLARA COUNTY)**

Extension of time granted

On application of interveners and appellants and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to January 31, 2014.

**S212072** H038563 Sixth Appellate District

**CALIFORNIA BUILDING  
INDUSTRY ASSOCIATION v.  
CITY OF SAN JOSE  
(AFFORDABLE HOUSING  
NETWORK OF SANTA  
CLARA COUNTY)**

Extension of time granted

On application of appellant, City of San Jose, and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to January 31, 2014.

**S212157** C070271 Third Appellate District

**PEOPLE v. CROSS (JOSHUA)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to January 24, 2014.

No further extensions are contemplated.

**S212256**

**LOPEZ (MICHAEL  
AUGUSTINE) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Alice B. Lustre's representation that the informal response to the petition for writ of habeas corpus is anticipated to be filed by July 23, 2014, counsel's request for an extension of time in which to file that document is granted to February 18, 2014. After that date, only three further extensions totaling about 153 additional days are contemplated.

**S212704**      B240519 Second Appellate District, Div. 4      **MENDIOLA (TIM) v. CPS  
SECURITY SOLUTIONS, INC.**

Extension of time granted

On application of appellants and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to January 10, 2014.

**S212704**      B240519 Second Appellate District, Div. 4      **MENDIOLA (TIM) v. CPS  
SECURITY SOLUTIONS, INC.**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to January 10, 2014.

**S213066**      E054516 Fourth Appellate District, Div. 2      **(H.) B. v. COUNTY OF SAN  
BERNARDINO**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to February 13, 2014.

**S214841**      H037294 Sixth Appellate District      **LU (JENNIFER) v. TRUSTEES  
OF LELAND STANFORD JR.  
UNIVERSITY**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the reply to answer to petition for review is extended to January 6, 2014.

**S187726**      **PEOPLE v. ROTTIERS  
(BROOKE MARIE)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Allen G. Weinberg is hereby appointed to represent appellant Brooke Marie Rottiers for the direct appeal in the above automatic appeal now pending in this court.

**S215346**      **BROWN (ANDRE L.) v. S.C.  
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District.



**S215418****JACKSON (HENRY) v. S.C.  
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

**S214069****ANYIA ON DISCIPLINE**

Recommended discipline imposed

The court orders that ALFRED OSHIOMELE ANYIA, State Bar Number 183571, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. ALFRED OSHIOMELE ANYIA is suspended from the practice of law for the first year of probation;
2. ALFRED OSHIOMELE ANYIA must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 4, 2013; and
3. At the expiration of the period of probation, if ALFRED OSHIOMELE ANYIA has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

ALFRED OSHIOMELE ANYIA must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

ALFRED OSHIOMELE ANYIA must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2015 and 2016. If ALFRED OSHIOMELE ANYIA fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S214073****LOPEZ ON DISCIPLINE****Recommended discipline imposed**

The court orders that CESAR A. LOPEZ, State Bar Number 195868, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. CESAR A. LOPEZ is suspended from the practice of law for a minimum of the first year of probation, and he will remain suspended until the following requirements are satisfied:
  - i. He makes restitution to Santiago Nunez in the amount of \$4,000 plus 10 percent interest per year from June 16, 2005 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Santiago Nunez, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
  - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. CESAR A. LOPEZ must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 26, 2013.
3. At the expiration of the period of probation, if CESAR A. LOPEZ has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

CESAR A. LOPEZ must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension. Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2015 and 2016. If CESAR A. LOPEZ fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S214077****MAH ON DISCIPLINE**

Recommended discipline imposed

The court orders that DONALD MAH, State Bar Number 158045, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DONALD MAH must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on September 5, 2013; and
2. At the expiration of the period of probation, if DONALD MAH has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

DONALD MAH must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S214079****MAIORANO ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JOSEPH GUY MAIORANO, State Bar Number 113876, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JOSEPH GUY MAIORANO must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S214082****POLGLASE ON DISCIPLINE**

Recommended discipline imposed

The court orders that JANICE ELLEN POLGLASE, State Bar Number 140759, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. JANICE ELLEN POLGLASE is suspended from the practice of law for 30 days (with credit given for the period of interim suspension which commenced on April 19, 2013); and
2. JANICE ELLEN POLGLASE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on August 22, 2013; and
3. At the expiration of the period of probation, if JANICE ELLEN POLGLASE has complied

with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

JANICE ELLEN POLGLASE must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S214085****STEELE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that EDGAR JAMES STEELE, State Bar Number 104928, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

EDGAR JAMES STEELE must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**Fourth Appellate District, Div. 2      TRANSFER ORDERS**

The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Two to Division Three:

- |    |         |   |
|----|---------|---|
| 1. | E053826 | Cosme Camargo, Sr., et al. v. John F. Kennedy Memorial Hospital, Inc.                           |
| 2. | E056348 | United Parcel Service, Inc. v. Department of Fair Employment and Housing et al; Eva Linda Mason |
| 3. | E057035 | Southern California Noble Development, Inc. v. PRP Investors Fontana LLC                        |
| 4. | E055626 | Schneider National, Inc., et al. v. Walter Ellis  |
| 5. | E056222 | Linda Vista Park LLC v. Linda Vista LLC   |
| 6. | E054258 | Suncal LaQuinta LLC v. Jacqueline Eston, as Co-Trustee, etc., et al.                            |
| 7. | E054871 | Daniel Musetti v. Evan Buckley et al.   |
| 8. | E053909 | Edward C. Norton v. San Bernardino City Unified School District et al.                          |